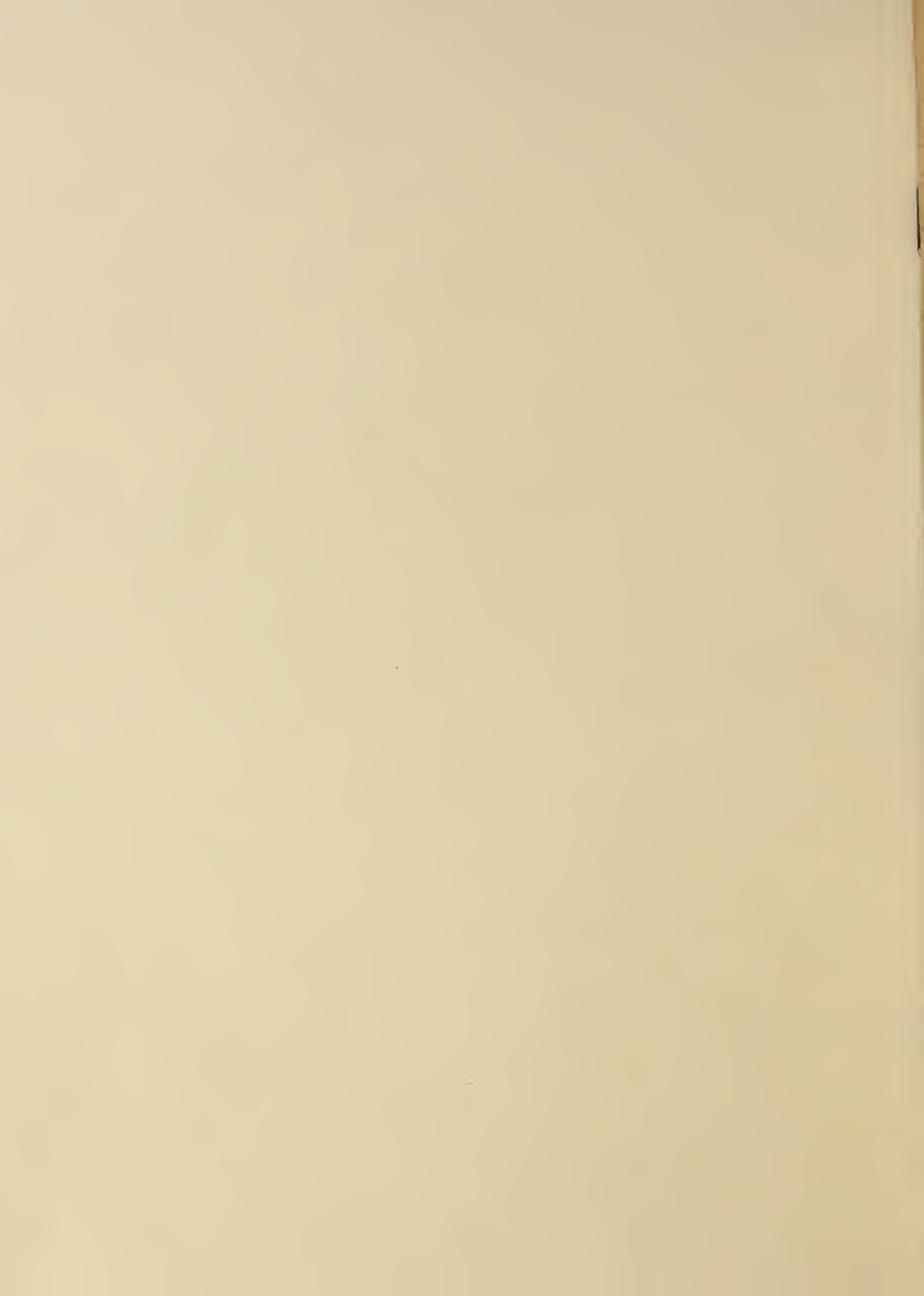


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# United States Department of Agriculture,

## FEDERAL HORTICULTURAL BOARD.

C. L. MARLATT, *Chairman*; W. A. ORTON, GEO. B. SUDWORTH, W. D. HUNTER, A. V. STUBEN-  
RAUCH. R. C. ALTHOUSE, *Secretary*.

### RULES AND REGULATIONS UNDER THE PLANT QUARANTINE ACT: GENERAL, INCLUDING NURSERY STOCK.

#### LETTER OF TRANSMITTAL.

UNITED STATES DEPARTMENT OF AGRICULTURE,  
FEDERAL HORTICULTURAL BOARD,  
*Washington, D. C., June 23, 1914.*

SIR: The Federal Horticultural Board respectfully submits general rules and regulations for carrying out the Plant Quarantine Act of August 20, 1912, as a revision of and to supersede Circular 44, Office of the Secretary, entitled "Rules and Regulations for Carrying Out the Plant Quarantine Act."

These regulations are substantially the same as those now in effect. Some minor corrections in wording have been made. Plant Quarantine Decision No. 4, issued July 17, 1913, as an amendment to regulation 7, is included; and provision is made under regulation 6 for the cancellation of permits and the refusal to issue further permits for importations from any foreign exporter who, after warning, continues to send packages not properly certified.

The Plant Quarantine Act of August 20, 1912, as amended March 4, 1913, is appended.

Respectfully,

C. L. MARLATT, *Chairman*,  
W. A. ORTON,  
GEO. B. SUDWORTH,  
W. D. HUNTER,  
A. V. STUBENRAUCH,  
*Federal Horticultural Board.*

Approved:

FRANCIS G. CAFFEY,  
*Solicitor.*

D. F. HOUSTON,  
*Secretary of Agriculture.*

### REGULATIONS GOVERNING THE IMPORTATION OF NURSERY STOCK INTO THE UNITED STATES.

#### Regulation 1. Short title of the act.

The act "To regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes," approved August 20, 1912 (37 Stat., 315), as amended March 4, 1913 (37 Stat., 828, 854), shall be known and referred to as "The Plant Quarantine Act."

**Regulation 2. Definitions.**

For the purpose of this act the term "nursery stock" includes all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

The following classes of plants are included in nursery stock as defined above: Fruit trees, fruit-tree stocks, nut trees, grapevines, bush fruits, roses, rose stocks, forest and ornamental trees and shrubs (both deciduous and evergreen), field-grown florists' stock, cuttings, scions, or seedlings, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation not otherwise listed, except as noted above.

All woody plants and parts thereof for propagation or planting are included within the term "nursery stock" as used in this act.

"Field-grown florists' stock" is all florists' stock which is usually grown outside of greenhouses for all or part of the year.

"Herbaceous plants" are plants which perish annually down to (sometimes including) the root; that is, soft, succulent plants.

**Regulation 3. Applications for permits for importation of nursery stock.**

Persons contemplating the importation of nursery stock shall first make application to the Federal Horticultural Board for a permit, stating in the application the name and address of the exporter, the country and locality where grown, the port of entry, and the name and address of the importer in the United States to whom the permit should be sent.

Applications for permits should be made in advance of the shipment of the nursery stock, but if, through no fault of the importer, stock should arrive before the issue of a permit the stock will be held in customs custody at the risk and expense of the importer for a period not exceeding 20 days pending the issue of a permit.

Applications may be made by telegraph, in which case the information required above must be given.

The port of entry is the port where the stock is cleared from customs and the duty paid, and is therefore not necessarily the port of arrival.

Seeds and plants not included in "nursery stock," as defined in regulation 2, and not under specific quarantine, may be imported without permit or compliance with other provisions of the Plant Quarantine Act.

Permits are not required for nursery stock entering the United States for immediate transportation in bond to foreign countries.

Permits for nursery stock entering the United States for immediate transportation to interior points in bond are required only at port of entry.

Two forms of application are provided: (1) For importation of nursery stock from countries which maintain nursery stock inspection in accordance with regulations 6 and 7; and (2) for importation from countries which do not maintain nursery stock inspection in accordance with regulations 6 and 7.

**APPLICATION FOR PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH MAINTAIN NURSERY STOCK INSPECTION.**

..... 191 .  
*To the Federal Horticultural Board, Washington, D. C.*

SIRS: A permit is requested for the importation of nursery stock, including the following pines: .....

(Scientific names of pines to be given.)

.....  
 during the period ....., 191 , to June 30, 191 .

from .....  
 (Name and address of exporter.)

grown in the country of....., locality of.....  
 Port of entry.....  
 Name and address of person (either applicant or his agent or broker) to whom permit  
 should be mailed.....  
 .....

Very respectfully,

.....  
 (Name of applicant.)

.....  
 (Address.)

No statement of quantity to be imported need be made in the application.

Except as to pines, a statement as to the nature of nursery stock to be imported is not required in the application; but full information must be given in the notices required by regulation 8.

In the case of pines the scientific names must be given in the application. The importation of all five-leaved pines is strictly prohibited from each and every country of Europe and Asia. (See Quarantine No. 7, May 21, 1913.)

APPLICATION FOR PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH DO NOT  
 MAINTAIN NURSERY STOCK INSPECTION.

..... 191 .

*To the Federal Horticultural Board, Washington, D. C.*

SIRS: A permit is requested for the importation, for experimental purposes, of the nursery stock described below, during the period ....., 191 , to June 30, 191 :

Quantity.	Exact designation of plants to be imported.
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....

Name and address of exporter.....

Country where grown.....

Locality where grown.....

Port of entry.....

Name and address of person (either applicant or his agent or broker) to whom permit  
 should be mailed.....

Very respectfully,

.....  
 (Name of applicant.)

.....  
 (Address.)

**Regulation 4. Delivery in bond.**

If the permit required for the importation of nursery stock from countries which maintain nursery stock inspection be not at hand at the time of the arrival at port of entry of the nursery stock, such stock may be delivered to the importer, consignee, or agent for the proper care thereof upon the filing of a voluntary bond with approved sureties in double the invoice value of the property (the amount of the bond in no case to be less than \$20), conditioned upon the redelivery thereof to the collector within



20 days from the date of arrival, and providing that the same shall not be removed from the port of entry within such period or until the presentation of the proper permit; or, if the importer, consignee, or agent shall so elect, the goods may be retained in customs custody pending the issuance of the permit, wholly at the risk and expense of the importer.

**Regulation 5. Permits for entry of nursery stock.**

On approval by the Secretary of Agriculture of an application for the importation of nursery stock from countries which maintain nursery stock inspection a permit will be issued in triplicate. One copy of the permit will be furnished to the applicant, to be retained by him for presentation, on the arrival of the imported stock, to the customs officer at the port of entry named in the permit; one copy will be mailed to the collector at the port of entry; and the third filed with the application. The beginning of the period for which a permit will be valid will be expressed in the permit. All permits will expire on the 30th day of June next after they become valid.

Permits may be canceled, and further permits refused, for the importation of the products of any grower or exporter who has knowingly shipped into the United States any nursery stock, or other plants or plant products, the importation of which is forbidden by the Secretary of Agriculture under the authority conferred by section 7 of the Plant Quarantine Act.

Permits for the entry of nursery stock from countries which maintain nursery stock inspection will be addressed to the collector of customs at the port of entry in the following form:

UNITED STATES DEPARTMENT OF AGRICULTURE  
FEDERAL HORTICULTURAL BOARD  
WASHINGTON, D. C.

PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH MAINTAIN NURSERY STOCK INSPECTION.

Valid ....., 191..., to June 30, 191...

.....191 .

*To the Collector of Customs, .....*

You are hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry under the Plant Quarantine Act, approved August 20, 1912, of any nursery stock the origin and destination of which is specified below, except five-leafed pines from any country of Europe or Asia, provided the invoice of each shipment is accompanied by an original certificate of inspection issued by a duly authorized official of the country from which the shipment is made, and each container bears a copy of this certificate of inspection, and, further, that each container is marked in conformity with said act and the regulations thereunder.

Name and address of exporter.....  
Country and locality where grown.....  
Name and address of importer.....

Respectfully,  
Countersigned:

D. F. HOUSTON,  
*Secretary of Agriculture.*

.....  
*Chairman of board.*

.....  
*Permit clerk.*

## REGULATIONS UNDER PLANT QUARANTINE ACT.

Permits for the entry of nursery stock from countries which do not maintain nursery stock inspection will be addressed to the collector of customs at the port of entry in the following form:

UNITED STATES DEPARTMENT OF AGRICULTURE  
FEDERAL HORTICULTURAL BOARD  
WASHINGTON, D. C.

PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH DO NOT MAINTAIN NURSERY STOCK INSPECTION.

Valid ....., 191.., to June 30, 191...

....., 191 .

To the Collector of Customs, .....

You are hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry under the Plant Quarantine Act, approved August 20, 1912, of the nursery stock described herein only upon receipt of notice in writing from an inspector of the Department of Agriculture that such nursery stock has been inspected by him or under his direction and found or believed to be free from plant diseases and insect pests: *Provided*, That such nursery stock, when found to be infested, may be delivered to the importer or consignee in bond for treatment in accordance with regulation 6 under said act.

[illegible]

Name and address of exporter.....

Country and locality where grown.....

Name and address of importer .....

Respectfully,

D. F. HOUSTON,  
*Secretary of Agriculture.*

Countersigned:

.....  
Chairman of board.

.....  
Permit clerk.

**Regulation 6. Inspection, certification, and marking of nursery stock as a condition of entry.**

Entry of nursery stock from countries which maintain nursery stock inspection will not be allowed unless the invoice is accompanied by an original certificate, and unless each container bears a copy certificate, issued by a duly authorized official of the country from which it is exported, stating that the nursery stock covered by the certificate has been thoroughly inspected by him or under his direction and found, or is believed to be, free from injurious plant diseases and insect pests. Nursery stock exported between October 1 and May 31 shall be inspected on or after the 1st of October, and stock exported between June 1 and September 30 shall be inspected at

the time of packing: *Provided*, That for tropical and semitropical countries, or for stock grown under glass, the inspection shall be at time of packing throughout the entire year.

Nursery stock from countries which do not maintain nursery stock inspection will be admitted into the United States only for experimental purposes and in limited quantities under special permit through ports designated therein. (See regulation 5.) Such nursery stock shall not be delivered to the importer or consignee until it has been examined by an inspector of the Department of Agriculture and found to be free from plant diseases and insect pests: *Provided, however*, That nursery stock which, in the judgment of the Federal Horticultural Board, can be cleaned by disinfection or other treatment may be delivered to the importer, consignee, or agent for the proper care and treatment thereof upon the filing of a voluntary bond, with approved sureties in double the invoice value of the property (the amount of the bond in no case to be less than \$20 nor less than \$1 per plant in case of date palms and date-palm offshoots), conditioned upon the redelivery thereof to the collector of customs within 40 days from date of arrival, and providing that the same shall not be removed from the port of entry until a written notice is given to the collector of customs by the inspector of the Department of Agriculture that the nursery stock in question has been properly treated. Nursery stock inspected, as provided herein, which is found to be carrying any plant disease or insect pest, and which, in the judgment of the Federal Horticultural Board, can not be cleaned by disinfection or treatment, shall be refused entry. All charges for storage, cartage, and labor incident to inspection, other than the services of inspectors, shall be paid by the importer.

If a package of nursery stock offered for entry includes any prohibited article, the entire package will be refused entry.

Each case, box, or other container or covering of nursery stock offered for entry shall be plainly and correctly marked to show the number of permit, the general nature and quantity of the contents, the district or locality and country where grown, the name and address of the exporter, and the name and address of the consignee.

Permits may be canceled and further permits refused for importations from any foreign exporter who, after warning, continues to send packages not certified as above, i. e., lacking copy certificate attached to package.

#### **Regulation 7. Foreign certificate of inspection.**

Each certificate and copy certificate shall give the date of inspection; name of the grower or exporter; the district or locality and the country where grown; a statement that the stock has been inspected by a duly authorized official and found, or believed to be, free from insect pests and plant diseases. The original certificate shall be signed and sealed by, and the copy certificate shall bear the seal of, a responsible inspection official for the country of origin.

Permits may be canceled and further permits refused for the importation of nursery stock from any given country whenever such stock, in the judgment of the Federal Horticultural Board, is found to be so infested as plainly to indicate that the foreign inspection is merely perfunctory, and such countries shall thereafter be classed as countries which do not maintain nursery stock inspection until satisfactory evidence is presented to show that the regulations of the board have been complied with.

Lists of officials in foreign countries authorized to inspect nursery stock, giving their names and official designations, will be furnished to collectors of customs through the Secretary of the Treasury.

#### **Regulation 8. Notice of shipment at port of entry and interstate.**

Immediately upon the entry and before removal from the port of entry of nursery stock, for each separate shipment or consignment thereof, the permittee shall notify the Secretary of Agriculture through the collector of customs where entry is made,



on forms provided for that purpose, stating the number of permit, the general nature and quantity of the nursery stock, the country and locality where grown, the date of entry, and the name and address of the consignee to whom it is proposed to forward the nursery stock, together with the probable date of delivery for transportation.

At the same time a copy of the notice to the Secretary of Agriculture shall be sent by the permittee to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock is to be shipped. Lists of such inspectors and officers may be obtained on application to the collector of customs or the Federal Horticultural Board, Washington, D. C.

Permits may be canceled and further permits refused if a permittee fails to give either of said notices, or gives a false notice, or knowingly mislabels any nursery stock with intent to evade any provision of the Plant Quarantine Act or of any regulation thereunder.

Should a consignee named in such a notice ship or deliver for shipment to any other State, Territory, or District such nursery stock before it has been inspected by a duly authorized State, Territorial, or District inspector or officer, he shall prior to such shipment give like notice to the Secretary of Agriculture and to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock is to be reshipped.

Imported nursery stock which has been once inspected will be allowed to move interstate without restrictions other than those imposed on the interstate movement of domestic nursery stock.

**Regulation 9. Marking as a condition of interstate shipment.**

No person shall ship or deliver for shipment from one State or Territory or District of the United States into any other State or Territory or District any imported nursery stock the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where such stock was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

**Regulation 10. Hearings.**

When the Secretary of Agriculture contemplates the restriction of the importation of plants and plant products not included within the term "nursery stock" as used in the Plant Quarantine Act, or the prohibition of the importation of nursery stock and other plants and plant products from any foreign country, or the prohibition or restriction of the shipment of nursery stock and other plants and plant products from one State, Territory, or District of the United States to another State, Territory, or District, he will give a public hearing to interested parties, who may appear either in person or by attorney and give evidence or be heard respecting the subject of the hearing. Due notice of the hearing will be given by publication or otherwise, as may be deemed appropriate. Notices will contain a statement of the action which is contemplated and the time and place of the hearing.

The above rules and regulations are hereby adopted and shall be effective on and after July 1, 1914, and shall supersede on and after said date the Rules and Regulations for Carrying Out the Plant Quarantine Act, issued May 26, 1913, and embodied in Circular No. 44, Office of the Secretary, as amended by Quarantine Decision No. 4, issued July 17, 1913.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *June 23, 1914.*

THE PLANT QUARANTINE ACT, AUGUST 20, 1912, AS AMENDED  
MARCH 4, 1913.

AN ACT To regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That it shall be unlawful for any person to import or offer for entry into the United States any nursery stock unless and until a permit shall have been issued therefor by the Secretary of Agriculture, under such conditions and regulations as the said Secretary of Agriculture may prescribe, and unless such nursery stock shall be accompanied by a certificate of inspection, in manner and form as required by the Secretary of Agriculture, of the proper official of the country from which the importation is made, to the effect that the stock has been thoroughly inspected and is believed to be free from injurious plant diseases and insect pests: *Provided*, That the Secretary of Agriculture shall issue the permit for any particular importation of nursery stock when the conditions and regulations as prescribed in this act shall have been complied with: *Provided further*, That nursery stock may be imported for experimental or scientific purposes by the Department of Agriculture upon such conditions and under such regulations as the said Secretary of Agriculture may prescribe: *And provided further*, That nursery stock imported from countries where no official system of inspection for such stock is maintained may be admitted upon such conditions and under such regulations as the Secretary of Agriculture may prescribe.

SEC. 2. That it shall be the duty of the Secretary of the Treasury promptly to notify the Secretary of Agriculture of the arrival of any nursery stock at port of entry; that the person receiving such stock at port of entry shall, immediately upon entry and before such stock is delivered for shipment or removed from the port of entry, advise the Secretary of Agriculture or, at his direction, the proper State, Territorial, or District official of the State or Territory or the District to which such nursery stock is destined, or both, as the Secretary of Agriculture may elect, of the name and address of the consignee, the nature and quantity of the stock it is proposed to ship, and the country and locality where the same was grown. That no person shall ship or offer for shipment from one State or Territory or District of the United States into any other State or Territory or District, any nursery stock imported into the United States without notifying the Secretary of Agriculture or, at his direction, the proper State, Territorial, or District official of the State or Territory or District to which such nursery stock is destined, or both, as the Secretary of Agriculture may elect, immediately upon the delivery of the said stock for shipment, of the name and address of the consignee, of the nature and quantity of stock it is proposed to ship, and the country and locality where the same was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

SEC. 3. That no person shall import or offer for entry into the United States any nursery stock unless the case, box, package, crate, bale, or bundle thereof shall be plainly and correctly marked to show the general nature and quantity of the contents, the country and locality where the same was grown, the name and address of the shipper, owner, or person shipping or forwarding the same, and the name and address of the consignee.

SEC. 4. That no person shall ship or deliver for shipment from one State or Territory or District of the United States into any other State or Territory or District any such imported nursery stock the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where such stock was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

SEC. 5. That whenever the Secretary of Agriculture shall determine that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section six of this act may result in the entry into the United States or any of its Territories or Districts of injurious plant diseases or insect pests, he shall promulgate his determination, specifying the class of plants and plant products the importation of which shall be restricted and the country and locality where they are grown, and thereafter, and until such promulgation is withdrawn, such plants and plant products imported or offered for import into the United States or any of its Territories or Districts shall be subject to all the provisions of the foregoing sections of this act: *Provided*, That



before the Secretary of Agriculture shall promulgate his determination that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section six of this act may result in the entry into the United States or any of its Territories or Districts of injurious plant diseases or insect pests he shall, after due notice, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

SEC. 6. That for the purpose of this act the term "nursery stock" shall include all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

SEC. 7. That whenever, in order to prevent the introduction into the United States of any tree, plant, or fruit disease or of any injurious insect, new to or not theretofore widely prevalent or distributed within and throughout the United States, the Secretary of Agriculture shall determine that it is necessary to forbid the importation into the United States of any class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products from a country or locality where such disease or insect infestation exists, he shall promulgate such determination, specifying the country and locality and the class of nursery stock or other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products which, in his opinion, should be excluded. Following the promulgation of such determination by the Secretary of Agriculture, and until the withdrawal of the said promulgation by him, the importation of the class of nursery stock or of other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the said promulgation from the country and locality therein named, regardless of the use for which the same is intended, is hereby prohibited; and until the withdrawal of the said promulgation by the Secretary of Agriculture, and notwithstanding that such class of nursery stock, or other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products be accompanied by a certificate of inspection from the country of importation, no person shall import or offer for entry into the United States from any country or locality specified in such promulgation, any of the class of nursery stock or of other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products named therein, regardless of the use for which the same is intended: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to forbid the importation into the United States of the articles named in this section he shall, after due notice to interested parties, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney: *Provided further*, That the quarantine provisions of this section, as applying to the white-pine blister rust, potato wart, and the Mediterranean fruit fly, shall become and be effective upon the passage of this act: *Provided further*, That hereafter any class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products of which the importation may be forbidden from any country or locality under the provisions of section seven of the Plant Quarantine Act approved August twentieth, nineteen hundred and twelve (Thirty-seventh Statutes, page three hundred and fifteen), may be imported for experimental or scientific purposes by the Department of Agriculture upon such conditions and under such regulations as the said Secretary of Agriculture may prescribe.

SEC. 8. That the Secretary of Agriculture is authorized and directed to quarantine any State, Territory, or District of the United States, or any portion thereof, when he shall determine the fact that a dangerous plant disease or insect infestation, new to or not theretofore widely prevalent or distributed within and throughout the United States, exists in such State or Territory or District; and the Secretary of Agriculture is directed to give notice of the establishment of such quarantine to common carriers doing business in or through such quarantined area, and shall publish in such newspapers in the quarantined area as he shall select notice of the establishment of quarantine. That no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the notice of quarantine except as hereinafter provided. That it shall be unlawful to move or allow to be moved any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the notice of quarantine hereinbefore provided, and regardless of the use for which the same is

intended, from any quarantined State or Territory or District of the United States, or quarantined portion thereof, into or through any other State or Territory or District, in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. That it shall be the duty of the Secretary of Agriculture to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, and method and manner of delivery and shipment of the class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the notice of quarantine hereinbefore provided, and regardless of the use for which the same is intended, from a quarantined State or Territory or District of the United States, or quarantined portion thereof, into or through any other State or Territory or District; and the Secretary of Agriculture shall give notice of such rules and regulations as hereinbefore provided in this section for the notice of the establishment of quarantine: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to quarantine any State, Territory, or District of the United States, or portion thereof, under the authority given in this section, he shall, after due notice to interested parties, give a public hearing under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

SEC. 9. That the Secretary of Agriculture shall make and promulgate such rules and regulations as may be necessary for carrying out the purposes of this act.

SEC. 10. That any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court: *Provided*, That no common carrier shall be deemed to have violated the provisions of any of the foregoing sections of this act on proof that such carrier did not knowingly receive for transportation or transport nursery stock or other plants or plant products as such from one State, Territory, or District of the United States into or through any other State, Territory, or District; and it shall be the duty of the United States attorneys diligently to prosecute any violations of this act which are brought to their attention by the Secretary of Agriculture or which come to their notice by other means.

SEC. 11. That the word "person" as used in this act shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society, or association as well as that of the person.

SEC. 12. That for the purpose of carrying out the provisions of this act there shall be appointed by the Secretary of Agriculture from existing bureaus and offices in the Department of Agriculture, including the Bureau of Entomology, the Bureau of Plant Industry, and the Forest Service, a Federal Horticultural Board consisting of five members, of whom not more than two shall be appointed from any one bureau or office, and who shall serve without additional compensation.

SEC. 13. That there is hereby appropriated, out of the moneys in the Treasury not otherwise appropriated, to be expended as the Secretary of Agriculture may direct, for the purposes and objects of this act, the sum of \$25,000.

SEC. 14. That this act shall become and be effective from and after the first day of October, nineteen hundred and twelve, except as herein otherwise provided.

#### STATE INSPECTION OFFICIALS.

Alabama: State Horticulturist, Alabama Polytechnic Institute, Auburn, Ala.

Alaska: Special Agent in Charge, Alaska Agricultural Experiment Station, Sitka, Alaska.

Arizona: State Entomologist, Phoenix, Ariz.

Arkansas: State Inspector, Fayetteville, Ark.

California: Horticultural Quarantine Officer, Room 11, Ferry Building, San Francisco, Cal.

Colorado: Entomologist, Colorado Agricultural Experiment Station, Fort Collins, Colo.

Connecticut: State Entomologist, New Haven, Conn.

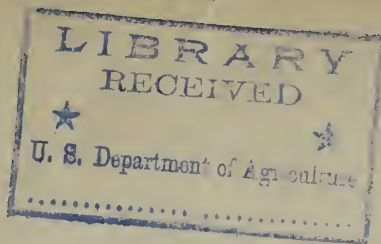
Delaware: Secretary, State Board of Agriculture, Dover, Del.



District of Columbia: U. S. Department of Agriculture, Bureau of Entomology.  
 Florida: Inspector of Nursery Stock, Florida Agricultural Experiment Station, Gainesville, Fla.  
 Georgia: State Entomologist, Atlanta, Ga.  
 Guam: Special Agent in Charge, Guam Agricultural Experiment Station, Island of Guam (via San Francisco).  
 Hawaii: Entomologist, Board of Commissioners of Agriculture and Forestry, Honolulu, Hawaii.  
 Idaho: State Horticultural Inspector, Boise, Idaho.  
 Illinois: Chief Inspector, Office State Entomologist, Urbana, Ill.  
 Indiana: State Entomologist, Indianapolis, Ind.  
 Iowa: State Entomologist, Iowa State College, Ames, Iowa.  
 Kansas, North: Entomologist, Kansas Agricultural Experiment Station, Manhattan, Kans.  
 Kansas, South: Entomologist, University of Kansas, Lawrence, Kans.  
 Kentucky: State Entomologist, Kentucky Agricultural Experiment Station, Lexington, Ky.  
 Louisiana: Entomologist, State Board of Agriculture and Immigration, Baton Rouge, La.  
 Maine: State Horticulturist, Augusta, Me.  
 Maryland: State Entomologist, College Park, Md.  
 Massachusetts: State Nursery Inspector, Amherst, Mass.  
 Michigan: State Inspector of Nurseries, East Lansing, Mich.  
 Minnesota: State Entomologist, St. Anthony Park, Minn.  
 Mississippi: Entomologist, Agricultural College, Miss.  
 Missouri: Entomologist, University of Missouri, Columbia, Mo.  
 Montana: Montana State Board of Horticulture, Missoula, Mont.  
 Nebraska: State Entomologist, University of Nebraska, Lincoln, Nebr.  
 Nevada: Entomologist, Nevada Agricultural Experiment Station, Reno, Nev.  
 New Hampshire: Acting State Nursery Inspector, Durham, N. H.  
 New Jersey: State Entomologist, New Brunswick, N. J.  
 New Mexico: Horticulturist, New Mexico Agricultural Experiment Station, State College, N. Mex.  
 New York: Commissioner of Agriculture, Albany, N. Y.  
 North Carolina: State Entomologist, State Department of Agriculture, Raleigh, N. C.  
 North Dakota: Director, North Dakota Agricultural Experiment Station, Agricultural College, N. Dak.  
 Ohio: Chief Inspector, Ohio Department of Agriculture, Columbus, Ohio.  
 Oklahoma: Secretary, State Board of Agriculture, Oklahoma City, Okla.  
 Oregon: Secretary, State Board of Horticulture, Portland, Oreg.  
 Pennsylvania: Chief Nursery Inspector, Harrisburg, Pa.  
 Porto Rico: Entomologist, Board of Commissioners of Agriculture, San Juan, P. R.  
 Rhode Island: State Nursery Inspector, Kingston, R. I.  
 South Carolina: State Entomologist, Clemson College, S. C.  
 South Dakota: Entomologist, State College of Agriculture, Brookings, S. Dak.  
 Tennessee: State Entomologist, Knoxville, Tenn.  
 Texas: Chief Inspector of Nurseries, Houston, Tex.  
 Utah: State Horticultural Inspector, Salt Lake City, Utah.  
 Vermont: State Nursery Inspector, Burlington, Vt.  
 Virginia: State Entomologist, Blacksburg, Va.  
 Washington: Commissioner of Agriculture, Olympia, Wash.  
 West Virginia: State Entomologist, West Virginia Agricultural Experiment Station, Morgantown, W. Va.  
 Wisconsin: Entomologist and Chief Nursery Inspector, College of Agriculture, Madison, Wis.  
 Wyoming: Secretary, State Board of Horticulture, Laramie, Wyo.







# United States Department of Agriculture,

OFFICE OF THE SECRETARY.  
FEDERAL HORTICULTURAL BOARD.

## AMENDMENT NO. 1 TO THE RULES AND REGULATIONS UNDER THE PLANT QUARANTINE ACT: GENERAL, INCLUDING NURSERY STOCK.

Regulation 6 of the rules and regulations of the Secretary of Agriculture governing the importation of nursery stock into the United States, issued July 1, 1914, is hereby amended, effective immediately, by striking out the first sentence in the second paragraph of said regulation and inserting in lieu thereof the following:

Nursery stock, except orchids and tree seeds, from countries which do not maintain nursery-stock inspection, will be admitted into the United States only for experimental purposes and in limited quantities, under special permit through ports designated therein. (See regulation 5.) Orchids and tree seeds may be imported from such countries in commercial quantities under special permit.

Done at Washington this 19th day of April,  
1915.

Witness my hand and the seal of the United  
States Department of Agriculture.



92314°—15

*D. A. Houston*  
Secretary of Agriculture.





UNITED STATES DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY  
FEDERAL HORTICULTURAL BOARD.

Amendment No. 4 to the rules and regulations under the plant quarantine act: Interstate movement of potatoes from areas quarantined for powdery scab.

The rules and regulations of the Secretary of Agriculture governing the interstate movement of potatoes from areas quarantined for powdery scab, issued under date of June 26, 1914, effective on and after August 1, 1914, are hereby amended by the addition to Regulation 2 of the following paragraph, effective immediately, to be designated as paragraph "e":

e. No potatoes brought into the United States in violation of any foreign potato quarantine or in violation of any of the regulations governing the importation of potatoes into the United States, and no domestic potatoes mingled therewith, will be inspected. .

Done at Washington, D. C., this 11th day of November, 1914.

Witness my hand and the seal of the United States Department of Agriculture.

*Carl Vrooman*

Acting Secretary of Agriculture.

(SEAL)



UNITED STATES DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

Federal Horticultural Board.

Amendment No. 6 to the Rules and Regulations under the  
Plant Quarantine Act: Interstate Movement of Potatoes  
from areas quarantined for Powdery Scab.

Under authority conferred by section 8 of the plant quarantine  
act of August 20, 1912 (37 Stat. 315), it is ordered that the regula-  
tions governing the interstate movement of potatoes from areas quaran-  
tined for powdery scab, dated June 26, 1914, be, and the same are hereby  
amended, effective on and after January 3, 1915, in the following  
particulars:

Regulation 5 is modified to read as follows:

- (a) In all cases where potatoes are transported in packages rather than in bulk, only sacks or other containers which have not previously held potatoes or which have been sterilized as prescribed in regulation 12-c and certified by a Department inspector as having been so treated, may be used.

Regulation 9-a is modified to read as follows:

- (a) Each container shall have attached thereto a card bearing a serial number and signed or initialed by the inspector issuing it; Provided, That when table potatoes in packages are loaded in car or schooner lots a single card may be attached to the car or vessel for each consignment.

The following paragraph, to be designated as paragraph (c) is  
added to Regulation 11:

- (c) Whenever it becomes necessary to transfer or reload in transit a car or schooner lot consignment of certified potatoes each such consignment shall be kept separate and distinct, and there shall be displayed in a con-





UNITED STATES DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

Federal Horticultural Board.

Amendment No. 6 to the Rules and Regulations under the  
Plant Quarantine Act: Interstate Movement of Potatoes  
from areas quarantined for Powdery Scab.

Under authority conferred by Section 3 of the plant quarantine  
act of August 20, 1912 (37 Stat. 315), it is ordered that the regula-  
tions governing the interstate movement of potatoes from areas quaran-  
tined for powdery scab, dated June 26, 1914, be, and the same are hereby  
amended, effective on and after January 8, 1915, in the following  
particulars:

Regulation 5 is modified to read as follows:

- (a) In all cases where potatoes are transported in packages rather than in bulk, only sacks or other containers which have not previously held potatoes or which have been sterilized as prescribed in regulation 12-c and certified by a Department inspector as having been so treated, may be used.

Regulation 9-a is modified to read as follows:

- (a) Each container shall have attached thereto a card bearing a serial number and signed or initialed by the inspector issuing it; Provided, That when table potatoes in packages are loaded in car or schooner lots a single card may be attached to the car or vessel for each consignment.

The following paragraph, to be designated as paragraph (c) is  
added to Regulation 11:

- (c) Whenever it becomes necessary to transfer or reload in transit a car or schooner lot consignment of certified potatoes each such consignment shall be kept separate and distinct, and there shall be displayed in a con-



spicuous place on the car or place to which the potatoes have been transferred, a card showing the class of potatoes, the number of the certificate issued permitting their transportation, the point of origin of the shipment, the name of the shipper, and the car initials and number or vessel's name, of each car or vessel in which the consignment has been carried; Provided however, That this requirement shall not be construed to apply to any consignment after the delivery of such consignment to the destination shown on the certificate permitting interstate transportation of the potatoes.

The following paragraph, to be designated as paragraph (c) is added to Regulation 12:

(c) Containers sterilized for use in shipping potatoes in packages shall be treated in the following manner:

Soaked for not less than one hour in boiling water or copper sulphate solution- 1 pound per 50 gallons of water; or corrosive sublimate- 2 ounces per 50 gallons of water; then drained or wrung and allowed to dry.

Done at Washington, this 8th day of January, 1915.

Witness my hand and the seal of the United States Department of Agriculture.

*D. A. Houston*

Secretary of Agriculture.

(seal)





UNITED STATES DEPARTMENT OF AGRICULTURE.

FEDERAL HORTICULTURAL BOARD.

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Amendment No. 7 to the Rules and Regulations under the Plant Quarantine Act: Interstate Movement of Potatoes from areas quarantined for Powdery Scab.

Under authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912 (37 Stat. 315) it is ordered that the regulations governing the interstate movement of potatoes from areas quarantined for powdery scab, dated June 26, 1914, be, and the same are hereby amended, effective on and after January 8, 1915, by the addition thereto of a new regulation to be designated as Regulation 15, reading as follows:

Regulation 15. Misuse of certificates.

The use of any certificate provided for by these regulations in any other manner or for any other purpose than is specifically authorized in these regulations is prohibited. No certificate shall be transferred or reused.

Done at Washington this 8th day of January,  
1915.

Witness my hand and the seal of the United States  
Department of Agriculture.

(SEAL)

*D. A. Houston*

Secretary of Agriculture.

THE UNIVERSITY OF CHICAGO  
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# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

FEDERAL HORTICULTURAL BOARD.

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## RULES AND REGULATIONS GOVERNING THE INSPECTION, DISINFECTION, CERTIFICATION, AND METHOD AND MANNER OF DELIVERY AND SHIPMENT IN INTERSTATE COMMERCE OF POTATOES FROM STATES, TERRITORIES, OR DISTRICTS OF THE UNITED STATES, OR PORTIONS THEREOF, QUARANTINED FOR POWDERY SCAB.

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AMENDMENT NO. 10 TO THE RULES AND REGULATIONS UNDER THE PLANT QUARANTINE ACT: INTERSTATE MOVEMENT OF POTATOES FROM AREAS QUARANTINED FOR POWDERY SCAB.

It is ordered that the regulations adopted on June 26, 1914, entitled "Rules and Regulations under the Plant Quarantine Act: Interstate Movement of Potatoes from Areas Quarantined for Powdery Scab," and amendments thereto numbered 1, 2, 3, 4, 6, 7, 8, and 9, be, and the same hereby are, amended, effective on and after April 16, 1915, so as to read as follows:

### Regulation 1.—Definitions.

For the purposes of these regulations the following words, phrases, names, and terms shall be construed, respectively, to mean—

a. Powdery scab: The disease of potatoes caused by *Spongospora subterranea*.

b. Disease similar to powdery scab: Common scab and any other disease of potatoes, visible upon inspection, which resembles powdery scab in appearance.

c. Infected potatoes: Potatoes of lots which contain individual tubers infected with powdery scab or any disease similar to powdery scab.

d. Exposed potatoes: Potatoes grown in fields infected with powdery scab or which have come in contact with soil, tubers, or containers infected with or contaminated by powdery scab.

e. Table potatoes: Potatoes neither infected nor exposed, and potatoes which have been infected or exposed, but from which all tubers visibly infected with powdery scab or any disease similar to powdery scab have been removed, which are to be used for table purposes.

f. Quarantined area: Any State, Territory, or District of the United States, or any portion thereof, quarantined by the Secretary of Agriculture upon determination by him that powdery scab exists therein.

g. Infected area: Those portions of any quarantined area which are determined by the Federal Horticultural Board to be infected with powdery scab.

h. Inspector: An inspector of the Federal Horticultural Board of the United States Department of Agriculture.

i. Inspection point: Place or places to be designated by the Federal Horticultural Board from time to time where potatoes, prior to leaving the quarantined area, will be inspected and certified for interstate shipment.

**Regulation 2.—Determination of infected areas.**

a. The Federal Horticultural Board shall determine, from time to time, after due investigation, what portions of each quarantined area are infected with the powdery scab and shall thereupon give notice in writing to transportation companies doing business in or through the State, Territory, or District in which the quarantined area is located, and by publication in newspapers selected by the Federal Horticultural Board within such State, Territory, or District, of the portions of such areas found to be so infected.

**Regulation 3.—Interstate movement of potatoes conditioned on inspection and certification.**

a. No potatoes shall be moved from a quarantined area to or through a State, Territory, or District other than that in which such quarantined area is located, unless and until the same shall have been inspected by an inspector, and certified to be apparently free from infection with powdery scab or any disease similar to powdery scab, and the containers thereof marked, as prescribed by these regulations: *Provided*, That this shall not apply to potatoes shipped to the United States Department of Agriculture for experimental or scientific purposes.

**Regulation 4.—Inspection.**

a. As a condition of interstate shipment potatoes must be freed from powdery scab, or any disease similar to powdery scab, by the shipper. Compliance with this requirement will be provisionally determined by a preliminary inspection of such potatoes at inspection points designated by the Federal Horticultural Board.

b. The carrier shall, before the car, vessel, or other container leaves the point of origin, affix thereto a card furnished by the Federal Horticultural Board showing the name and address of the consignor and the destination of the shipment.



*c.* At inspection points, except as provided in Regulation 5-*c*, the carrier shall hold all shipments of potatoes from points within quarantined areas for preliminary inspection and for certification by an inspector, and shall permit examination by the inspector of all way-bills covering such shipments.

*d.* If the potatoes are found, upon inspection at such inspection point, to be apparently free from powdery scab or any disease similar to powdery scab, and all the requirements of these regulations have been met, the inspector shall issue cards and certificates permitting movement, interstate, as provided in Regulation 5.

*e.* If potatoes be found upon inspection to be infected with powdery scab or any disease similar to powdery scab, the shipper, upon notice by the inspector to do so, shall, under the supervision of the inspector, empty the car, vessel, or other container thereof, remove all infected tubers from the potatoes, and reload at his own expense, after which the car, vessel, or other container shall be certified as provided in Regulation 5. In case the shipper refuses to attend in person, or through an agent, to the unloading, sorting, and reloading of the potatoes, the carrier shall have the option of returning the car, vessel, or other container to the point of origin or of itself, under the supervision of the inspector, unloading, sorting, and reloading the potatoes.

*f.* All shipments of potatoes from a quarantined area shall be subject to inspection at destination at the option of the Federal Horticultural Board, and, upon notice from the board to the final carrier to withhold delivery for inspection, delivery of any designated consignment shall be withheld until the inspector inspects and releases the potatoes for delivery. If, upon inspection, the potatoes are found to be infected with powdery scab or any disease similar to powdery scab, the entire contents of the car, vessel, or other container may, at the option of the board, and at the expense of the shipper, be racked and the infected tubers removed and returned to the point of origin or disinfected or destroyed under the supervision of the inspector.

*g.* The inspector or inspectors shall have free access to the cars, vessels, or other containers in which potatoes are being transported.

#### Regulation 5.—Certification and marking.

*a.* Except as provided in paragraph *c* of this regulation, no potatoes shall be transported beyond the inspection point, unless and until there shall have been issued, upon a form supplied by the Federal Horticultural Board, a certificate for each separate consignment, showing that all the potatoes in the consignment have been inspected by an inspector and pronounced to be apparently free from powdery

scab or any disease similar to powdery scab, and that the containers thereof have been marked as required by these regulations. Each certificate shall also bear the names and addresses of the consignor and consignee, and shall be signed by the inspector issuing it.

Each certificate shall be executed in triplicate, of which two copies shall be retained by the inspector, and the third delivered to the carrier having possession of the potatoes when inspected.

The waybill, transfer bill, running slip, manifest, or conductor's card accompanying a shipment of potatoes beyond the inspection point must have embodied in, stamped upon, or attached to it a statement signed by an agent of such carrier, showing that the certificate required by this regulation is on file with that carrier and the number of such certificate.

*b.* Every car, vessel, or other vehicle in a consignment for which a certificate is issued, or every container in case of a way freight or express shipment, shall have attached to it, in one or more conspicuous places, a card or cards showing that the potatoes in that car, vessel, vehicle, or container have been inspected by an inspector and pronounced to be apparently free from powdery scab or any disease similar to powdery scab, the name and address of the consignor, the name of the consignee, the destination of the shipment, the number of the certificate issued, and the name of the inspector.

*c.* Interstate movement is permitted, without restriction, of potatoes grown in, and shipped from points in, quarantined districts outside of the areas designated by the Federal Horticultural Board as infected by powdery scab, except that every car, vessel, or other container must bear the carrier's notice of origin and destination, as provided in Regulation 4-*b*.

*d.* Potatoes grown in quarantined areas intended for transportation to any other State, Territory, or District of the United States may be loaded into cars in a contiguous foreign country in bond. Potatoes so loaded, before reentry into the United States, must bear the carrier's notice of origin and destination, as provided in Regulation 4-*b*, and after reentry into the United States must move in accordance with these regulations.

#### **Regulation 6.—Partial loading and reloading.**

*a.* Potatoes may be received from more than one loading station for transportation in the same car, provided that a record of such loading is indicated on the car card described in Regulation 4-*b* and on the waybill, so that after the final loading full information can be given in the certification for interstate transportation.

*b.* Whenever it becomes necessary to transfer or reload in transit a car or vessel lot consignment of certified potatoes each such consignment shall be kept separate and distinct, and there shall be dis-

played in a conspicuous place on the car or place to which the potatoes have been transferred the certifying card which was attached to the car or other container from which the potatoes were transferred: *Provided, however,* That this requirement shall not be construed to apply to any consignment after the delivery of such consignment to the destination shown on the certificate permitting interstate transportation of the potatoes.

**Regulation 7.—Identification of inspectors.**

*a.* Each inspector shall wear, while on official duty, a metal badge issued by the United States Department of Agriculture. Each badge shall bear the number assigned to the inspector, and the legend "U. S. Department of Agriculture, Federal Horticultural Board, Quarantine Inspector."

**Regulation 8.—Misuse of certificates.**

*a.* The use of any certificate provided for by these regulations in any manner, or for any purpose, other than as specifically authorized in these regulations, is prohibited. No certificate shall be transferred or reused.<sup>1</sup>



Done at Washington this 27th day of March, 1915.

Witness my hand and the seal of the United States Department of Agriculture.

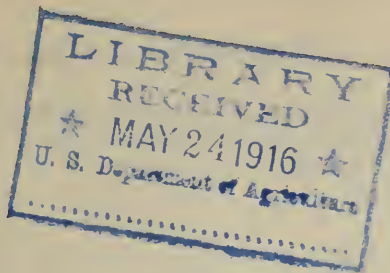
D. F. HOUSTON,  
*Secretary of Agriculture.*

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<sup>1</sup> It is a violation of the plant quarantine act of Aug. 20, 1912, to move potatoes from a quarantined area to or through a State, Territory, or District other than that in which such quarantined area is located except in accordance with these regulations and any amendments thereto.







Issued May 15, 1916.

UNITED STATES DEPARTMENT OF AGRICULTURE,  
FEDERAL HORTICULTURAL BOARD.

C. L. MARLATT, Chairman; W. A. ORTON, GEO. B. SUDWORTH, W. D. HUNTER, KARL F. KELLERMAN.  
R. C. ALTHOUSE, Secretary.

**RULES AND REGULATIONS GOVERNING THE IMPORTA-  
TION OF NURSERY STOCK INTO THE UNITED STATES.**

[Effective on and after July 1, 1916.]

**LETTER OF TRANSMITTAL.**

UNITED STATES DEPARTMENT OF AGRICULTURE,  
FEDERAL HORTICULTURAL BOARD,  
*Washington, D. C., April 12, 1916.*

SIR: The Federal Horticultural Board respectfully submits the following revision of the rules and regulations governing the importation of nursery stock into the United States, under the provisions of the Plant Quarantine Act of August 20, 1912. This revision supersedes, effective on and after July 1, 1916, the circular of June 23, 1914, entitled "Rules and Regulations under the Plant Quarantine Act: General, Including Nursery Stock."

These revised regulations are substantially the same as those now in effect. The most important change is the provision that permits to import nursery stock from countries which maintain nursery-stock inspection, and permits to import orchids and tree seeds from countries which do not maintain nursery-stock inspection, instead of being reissued each year, will be valid until revoked. The list of plants, the entry of which is prohibited, is brought up to date. Amendment No. 1 to the former rules and regulations, issued April 19, 1915, providing for the importation of orchids and tree seeds in commercial quantities from countries which do not maintain nursery-stock inspection, is incorporated in regulation 6. Regulation 8 has been revised to indicate more fully the requirements of the notice of shipment. Old regulations 1 and 10 have been omitted as unnecessary. These regulations do not have particular application to nursery stock, but apply to all of the different regulations issued under the Plant Quarantine Act. Regulation 10 on hearings merely repeats the provision of the act itself on this subject. A new regulation, No. 1, has been substituted, prohibiting the importation of nursery stock, except in accordance with the provisions of the Plant Quarantine Act and the regulations drawn thereunder. The Plant Quarantine Act, which has hitherto been published in connection with these regulations, has been omitted.<sup>1</sup>

<sup>1</sup> Copies of this act can be obtained on request.

A list of State inspection officials is appended, together with a list of the foreign countries which have provided for inspection and certification, in conformity with the requirements of this act.

Respectfully,

C. L. MARLATT, *Chairman.*  
W. A. ORTON,  
GEO. B. SUDWORTH,  
W. D. HUNTER,  
KARL F. KELLERMAN,  
*Federal Horticultural Board.*  
R. C. ALTHOUSE,  
*Secretary of Board.*

Hon. D. F. HOUSTON,  
*Secretary of Agriculture.*

Approved:

FRANCIS G. CAFFEY,  
*Solicitor.*

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### REGULATIONS.

#### Regulation 1. Restrictions on the importation of nursery stock.

The importation of nursery stock from any foreign country, except in accordance with the provisions of the Plant Quarantine Act of August 20, 1912 (37 Stat., 315), as amended March 4, 1913 (37 Stat., 828, 854), and the regulations prescribed thereunder, is prohibited.<sup>1</sup>

#### Regulation 2. Definitions.

For the purpose of this act the term "nursery stock" includes all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

The following classes of plants are included in nursery stock as defined above: Fruit trees, fruit-tree stocks, nut trees, grapevines, bush fruits, roses, rose stocks, forest and ornamental trees and shrubs (both deciduous and evergreen), field-grown florists' stock, cuttings, scions, or seedlings, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation not otherwise listed, except as noted above.

All woody plants and parts thereof for propagation or planting are included within the term "nursery stock" as used in this act.

"Field-grown florists' stock" is all florists' stock which is usually grown outside of greenhouses for all or part of the year.

"Herbaceous plants" are plants which perish annually down to (sometimes including) the root; that is, soft, succulent plants.

#### Regulation 3. Applications for permits for importation of nursery stock.

Persons contemplating the importation of nursery stock shall first make application to the Federal Horticultural Board for a permit, stating in the application the name and address of the exporter, the country and locality where grown, the port of entry, and the name and address of the importer in the United States to whom the permit should be sent.

Applications for permits should be made in advance of the shipment of the nursery stock, but if, through no fault of the importer, stock should arrive

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<sup>1</sup> A post office order dated May 27, 1913, as amended December 16, 1913, prohibits the importation by mail of all growing or living plants, seeds, and other plant products for propagation, except field, vegetable, and flower seeds.

before the issue of a permit the stock will be held in customs custody at the risk and expense of the importer for a period not exceeding 20 days pending the issue of a permit.

Applications may be made by telegraph, in which case the information required above must be given.

The port of entry is the port where the stock is cleared from customs and the duty paid, and is therefore not necessarily the port of arrival.

Seeds and plants not included in "nursery stock," as defined in regulation 2, and not under specific quarantine, may be imported without permit or compliance with other provisions of the Plant Quarantine Act.

Permits are not required for nursery stock entering the United States for immediate transportation in bond to foreign countries.

Permits for nursery stock entering the United States for immediate transportation to interior points in bond are required only at port of entry.

Two forms of application are provided: (1) For importation of nursery stock from countries which maintain nursery-stock inspection in accordance with regulations 6 and 7; and (2) for importation from countries which do not maintain nursery-stock inspection in accordance with regulations 6 and 7.

APPLICATION FOR PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH MAINTAIN NURSERY-STOCK INSPECTION.

-----, 191---  
To the Federal Horticultural Board, Washington, D. C.

SIRS: A permit is requested for the importation of nursery stock, including the following pines: -----

(Scientific names of pines to be given.)

from -----

(Name and address of exporter.)

Grown in the country of -----, locality of -----

Port of entry -----

Name and address of person (either applicant or his agent or broker) to whom permit should be mailed -----

Very respectfully,

-----  
(Name of applicant.)

-----  
(Address.)

No statement of quantity to be imported need be made in the application.

Except as to pines, a statement as to the nature of nursery stock to be imported is not required in the application; but full information must be given in the notices required by regulation 8.

In the case of pines from Asia, the Dominion of Canada, and Newfoundland, the scientific names must be given in the application.

The entry of the following nursery stock is prohibited:<sup>1</sup>

All five-leaved pines from any country of Europe and Asia. (Quarantine No. 7, May 21, 1913.)

All pines not already excluded by quarantine from all European countries and localities. (Quarantine No. 20, Mar. 1, 1915.)

<sup>1</sup> A list of the plants and plant products the entry of which is prohibited will be given in the Service and Regulatory Announcements of the Federal Horticultural Board, published monthly, copies of which can be secured on request.



All five-leaved pines and all species and varieties of currants (*Ribes*) and gooseberries (*Grossularia*) from the Dominion of Canada and Newfoundland. (Amendment No. 1 to Quarantine No. 7, Feb. 29, 1916.)

Avocado seed from Mexico and the countries of Central America. (Quarantine No. 12, Feb. 27, 1914.)

Avocado nursery stock less than 18 months of age from Mexico and the countries of Central America. (Regulations governing the importation of avocado fruit and nursery stock into the United States, under the provisions of the order of the Secretary of Agriculture, issued Feb. 27, 1914.)

Citrus nursery stock, including buds, scions, and seeds from all foreign localities and countries. (Quarantine No. 19, Dec. 10, 1914.)

APPLICATION FOR PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH DO NOT MAINTAIN NURSERY STOCK INSPECTION.

----- 191---

To the Federal Horticultural Board, Washington, D. C.

Sirs: A permit is requested for the importation, for experimental purposes, of the nursery stock described below, during the period -----, 191--, to June 30, 191--:

Quantity.	Exact designation of plants to be imported.

Name and address of exporter-----

Country where grown-----

Locality where grown-----

Port of entry-----

Name and address of person (either applicant or his agent or broker) to whom permit should be mailed-----

Very respectfully,

-----  
(Name of applicant.)

-----  
(Address.)

#### Regulation 4. Delivery in bond.

If the permit required for the importation of nursery stock from countries which maintain nursery stock inspection be not at hand at the time of the arrival at port of entry of the nursery stock, such stock may be delivered to the importer, consignee, or agent for the proper care thereof upon the filing of a voluntary bond with approved sureties in double the invoice value of the property (the amount of the bond in no case to be less than \$20), conditioned upon the redelivery thereof to the collector within 20 days from the date of arrival, and providing that the same shall not be removed from the port of entry within such period or until the presentation of the proper permit; or, if the importer, consignee, or agent shall so elect, the goods may be retained in customs custody pending the issuance of the permit, wholly at the risk and expense of the importer.



**Regulation 5. Permits for entry of nursery stock.**

On approval by the Secretary of Agriculture of an application for the importation of nursery stock from countries which maintain nursery stock inspection a permit will be issued in triplicate. One copy of the permit will be furnished to the applicant, to be retained by him for presentation, on the arrival of the imported stock, to the customs officer at the port of entry named in the permit; one copy will be mailed to the collector at the port of entry; and the third filed with the application.

Permits to import nursery stock from countries which maintain nursery stock inspection and permits to import orchids and tree seeds from countries which do not maintain nursery stock inspection shall be valid until revoked. Permits to import nursery stock, except orchids and tree seeds, from countries which do not maintain nursery stock inspection will expire on the thirtieth day of June next after they become valid, and a separate permit shall be required for each importation.

Permits may be canceled, and further permits refused, for the importation of the products of any grower or exporter who has knowingly shipped into the United States any nursery stock, or other plants or plant products, the importation of which is forbidden by the Secretary of Agriculture under the authority conferred by section 7 of the Plant Quarantine Act.

Permits for the entry of nursery stock from countries which maintain nursery stock inspection will be addressed to the collector of customs at the port of entry in the following form: .

UNITED STATES DEPARTMENT OF AGRICULTURE  
FEDERAL HORTICULTURAL BOARD  
WASHINGTON, D. C.

PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH MAINTAIN NURSERY  
STOCK INSPECTION.

(Valid until revoked.)

----- 191---

To the Collector of Customs, -----

You are hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry under the Plant Quarantine Act, approved August 20, 1912, of any nursery stock the entry of which is not prohibited and the origin and destination of which is specified below, provided the invoice of each shipment is accompanied by an original certificate of inspection issued by a duly authorized official of the country from which the shipment is made, and each container bears a copy of this certificate of inspection, and, further, that each container is marked in conformity with said act and the regulations thereunder.

Name and address of exporter -----

Country and locality where grown -----

Name and address of importer -----

Respectfully,  
Countersigned:

D. F. HOUSTON,  
*Secretary of Agriculture.*

-----  
*Chairman of board.*

-----  
*Secretary of board.*

Permits for the entry of nursery stock from countries which do not maintain nursery stock inspection will be addressed to the collector of customs at the port of entry in the following form:

UNITED STATES DEPARTMENT OF AGRICULTURE  
FEDERAL HORTICULTURAL BOARD  
WASHINGTON, D. C.

PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH DO NOT MAINTAIN  
NURSERY STOCK INSPECTION.

Valid -----, 191--, to June 30, 191--

-----, 191--.

To the Collector of Customs, -----

You are hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry under the Plant Quarantine Act, approved August 20, 1912, of the nursery stock described herein only upon receipt of notice in writing from an inspector of the Department of Agriculture that such nursery stock has been inspected by him or under his direction and found or believed to be free from plant diseases and insect pests: *Provided*, That such nursery stock, when found to be infested, may be delivered to the importer or consignee in bond for treatment in accordance with regulation 6 under said act.

Quantity.	Exact designation of plants to be imported.
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Name and address of exporter-----

Country and locality where grown-----

Name and address of importer-----

Respectfully,

D. F. HOUSTON,  
*Secretary of Agriculture.*

Countersigned:

-----  
*Chairman of board.*

-----  
*Secretary of board.*

**Regulation 6. Inspection, certification, and marking of nursery stock as a condition of entry.**

Entry of nursery stock from countries which maintain nursery stock inspection will not be allowed unless the invoice is accompanied by an original certificate, and unless each container bears a copy certificate, issued by a duly authorized official of the country from which it is exported, stating that the nursery stock covered by the certificate has been thoroughly inspected by him

or under his direction and found, or believed to be, free from injurious plant diseases and insect pests. Nursery stock exported between October 1 and May 31 shall be inspected on or after the 1st of October, and stock exported between June 1 and September 30 shall be inspected at the time of packing: *Provided*, That for tropical and semitropical countries, or for stock grown under glass, the inspection shall be at time of packing throughout the entire year.

Nursery stock, except orchids and tree seeds, from countries which do not maintain nursery stock inspection will be admitted into the United States only for experimental purposes and in limited quantities under special permit through ports designated therein. (See Regulation 5.) Orchids and tree seeds may be imported from such countries in commercial quantities under special permit. Such nursery stock shall not be delivered to the importer or consignee until it has been examined by an inspector of the Department of Agriculture and found to be free from plant diseases and insect pests: *Provided, however*, That nursery stock, which, in the judgment of the Federal Horticultural Board, can be cleaned by disinfection or other treatment may be delivered to the importer, consignee, or agent for the proper care and treatment thereof upon the filing of a voluntary bond, with approved sureties in double the invoice value of the property (the amount of the bond in no case to be less than \$20 nor less than \$1 per plant in case of date palms and date-palm offshoots), conditioned upon the redelivery thereof to the collector of customs within 40 days from date of arrival, and providing that the same shall not be removed from the port of entry until a written notice is given to the collector of customs by the inspector of the Department of Agriculture that the nursery stock in question has been properly treated. Nursery stock inspected, as provided herein, which is found to be carrying any plant disease or insect pest, and which, in the judgment of the Federal Horticultural Board, can not be cleaned by disinfection or treatment, shall be refused entry. All charges for storage, cartage, and labor incident to inspection, other than the services of inspectors, shall be paid by the importer.

If a package of nursery stock offered for entry includes any prohibited article, the entire package will be refused entry.

Each case, box, or other container or covering of nursery stock offered for entry shall be plainly and correctly marked to show the number of permit, the general nature and quantity of the contents, the district or locality and country where grown, the name and address of the exporter, and the name and address of the consignee.

Permits may be canceled and further permits refused for importations from any foreign exporter who, after warning, continues to send packages not certified as above, i. e., lacking copy certificate attached to package.

#### **Regulation 7. Foreign certificate of inspection.**

Each certificate and copy certificate shall give the date of inspection; name of the grower or exporter; the district or locality and the country where grown; a statement that the stock has been inspected by a duly authorized official and found, or believed to be, free from insect pests and plant diseases. The original certificate shall be signed and sealed by, and the copy certificate shall bear the seal of, a responsible inspection official for the country of origin.

Permits may be canceled and further permits refused for the importation of nursery stock from any given country whenever such stock, in the judgment of the Federal Horticultural Board, is found to be so infested as plainly to indicate that the foreign inspection is merely perfunctory, and such coun-



tries shall thereafter be classed as countries which do not maintain nursery stock inspection until satisfactory evidence is presented to show that the regulations of the board have been complied with.

Lists of officials in foreign countries authorized to inspect nursery stock giving their names and official designations, will be furnished to collectors of customs through the Secretary of the Treasury.

**Regulation 8. Notice of shipment at port of entry and interstate.**

Immediately upon the entry and before removal from the port of entry of nursery stock, for each separate shipment or consignment thereof, the permittee shall notify the Secretary of Agriculture through the collector of customs where entry is made, on forms provided for that purpose, stating the number of permit, the general nature and quantity of the nursery stock, the country and locality where grown, number of cases and marks and numbers on cases, the date of entry, name of the foreign shipper, name of importer or broker at port of entry, port of entry, and the name and address of the consignee to whom it is proposed to forward the nursery stock, together with the probable date of delivery for transportation. A separate report is required for each ultimate consignee.

At the same time a copy of the notice to the Secretary of Agriculture shall be sent by the permittee to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock is to be shipped. A list of such inspectors and officers is appended.

Permits may be canceled and further permits refused if a permittee fails to give either of said notices or gives an incomplete notice, or gives a false notice or knowingly mislabels any nursery stock with intent to evade any provision of the Plant Quarantine Act or of any regulation thereunder.

Should a consignee named in such a notice ship or deliver for shipment to any other State, Territory, or District such nursery stock before it has been inspected by a duly authorized State, Territorial, or District inspector or officer, he shall, prior to such shipment, give like notice to the Secretary of Agriculture and to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock is to be reshipped.

Imported nursery stock which has been once inspected will be allowed to move interstate without restrictions other than those imposed on the interstate movement of domestic nursery stock.

**Regulation 9. Marking as a condition of interstate shipment.**

No person shall ship or deliver for shipment from one State or Territory or District of the United States into any other State or Territory or District any imported nursery stock the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where such stock was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

The above rules and regulations are hereby adopted and shall be effective on and after July 1, 1916, and shall supersede on and after said date the Rules and Regulations under the Plant Quarantine Act: General, Including Nursery Stock, promulgated June 23, 1914, as modified by amendment No. 1 thereto, promulgated April 19, 1915.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., April 15, 1916.



## STATE INSPECTION OFFICIALS.

- Alabama:** State Horticulturist, Alabama Polytechnic Institute, Auburn, Ala.
- Alaska:** Special Agent in Charge, Alaska Agricultural Experiment Station, Sitka, Alaska.
- Arizona:** State Entomologist, Phoenix, Ariz.
- Arkansas:** State Inspector, Fayetteville, Ark.
- California:** Horticultural Quarantine Officer, Room 11. Ferry Building, San Francisco, Cal.
- Colorado:** Entomologist, Colorado Agricultural Experiment Station, Fort Collins, Colo.
- Connecticut:** State Entomologist, New Haven, Conn.
- Delaware:** Secretary, State Board of Agriculture, Dover, Del.
- District of Columbia:** U. S. Department of Agriculture, Federal Horticultural Board.
- Florida:** Inspector of Nursery Stock, Florida Agricultural Experiment Station, Gainesville, Fla.
- Georgia:** State Entomologist, Atlanta, Ga.
- Guam:** Special Agent in Charge, Guam Agricultural Experiment Station, Island of Guam (via San Francisco).
- Hawaii:** Entomologist, Board of Commissioners of Agriculture and Forestry, Honolulu, Hawaii.
- Idaho:** State Horticultural Inspector, Boise, Idaho.
- Illinois:** Chief Inspector, Office State Entomologist, Urbana, Ill.
- Indiana:** State Entomologist, Indianapolis, Ind.
- Iowa:** State Entomologist, Iowa State College, Ames, Iowa.
- Kansas, North:** Entomologist, Kansas Agricultural Experiment Station, Manhattan, Kans.
- Kansas, South:** Entomologist, University of Kansas, Lawrence, Kans.
- Kentucky:** State Entomologist, Kentucky Agricultural Experiment Station, Lexington, Ky.
- Louisiana:** Entomologist, State Board of Agriculture and Immigration, Baton Rouge, La.
- Maine:** State Horticulturist, Augusta, Me.
- Maryland:** State Entomologist, College Park, Md.
- Massachusetts:** State Nursery Inspector, Amherst, Mass.
- Michigan:** State Inspector of Nurseries, East Lansing, Mich.
- Minnesota:** State Entomologist, St. Anthony Park, Minn.
- Mississippi:** Entomologist, Agricultural College, Miss.
- Missouri:** Entomologist, University of Missouri, Columbia, Mo.
- Montana:** Montana State Board of Horticulture, Missoula, Mont.
- Nebraska:** State Entomologist, University of Nebraska, Lincoln, Nebr.
- Nevada:** Director, Nevada Agricultural Experiment Station, Reno, Nev.
- New Hampshire:** Acting State Nursery Inspector, Durham, N. H.
- New Jersey:** State Entomologist, New Brunswick, N. J.
- New Mexico:** Horticulturist, New Mexico Agricultural Experiment Station, State College, N. Mex.
- New York:** Commissioner of Agriculture, Albany, N. Y.
- North Carolina:** State Entomologist, State Department of Agriculture, Raleigh, N. C.
- North Dakota:** Director, North Dakota Agricultural Experiment Station, Agricultural College, N. Dak.
- Ohio:** Chief Inspector, Ohio Department of Agriculture, Columbus, Ohio.
- Oklahoma:** Secretary, State Board of Agriculture, Oklahoma City, Okla.

Oregon: Secretary, State Board of Horticulture, Portland, Oreg.

Pennsylvania: Chief Nursery Inspector, Harrisburg, Pa.

Porto Rico: Entomologist, Board of Commissioners of Agriculture, Río Pedras, P. R.

Rhode Island: State Nursery Inspector, Kingston, R. I.

South Carolina: State Entomologist, Clemson College, S. C.

South Dakota: Entomologist, State College of Agriculture, Brookings, S. Dak.

Tennessee: State Entomologist, Knoxville, Tenn.

Texas: Chief Inspector of Nurseries, Houston, Tex.

Utah: State Horticultural Inspector, Salt Lake City, Utah.

Vermont: State Nursery Inspector, Burlington, Vt.

Virginia: State Entomologist, Blacksburg, Va.

Washington: Commissioner of Agriculture, Olympia, Wash.

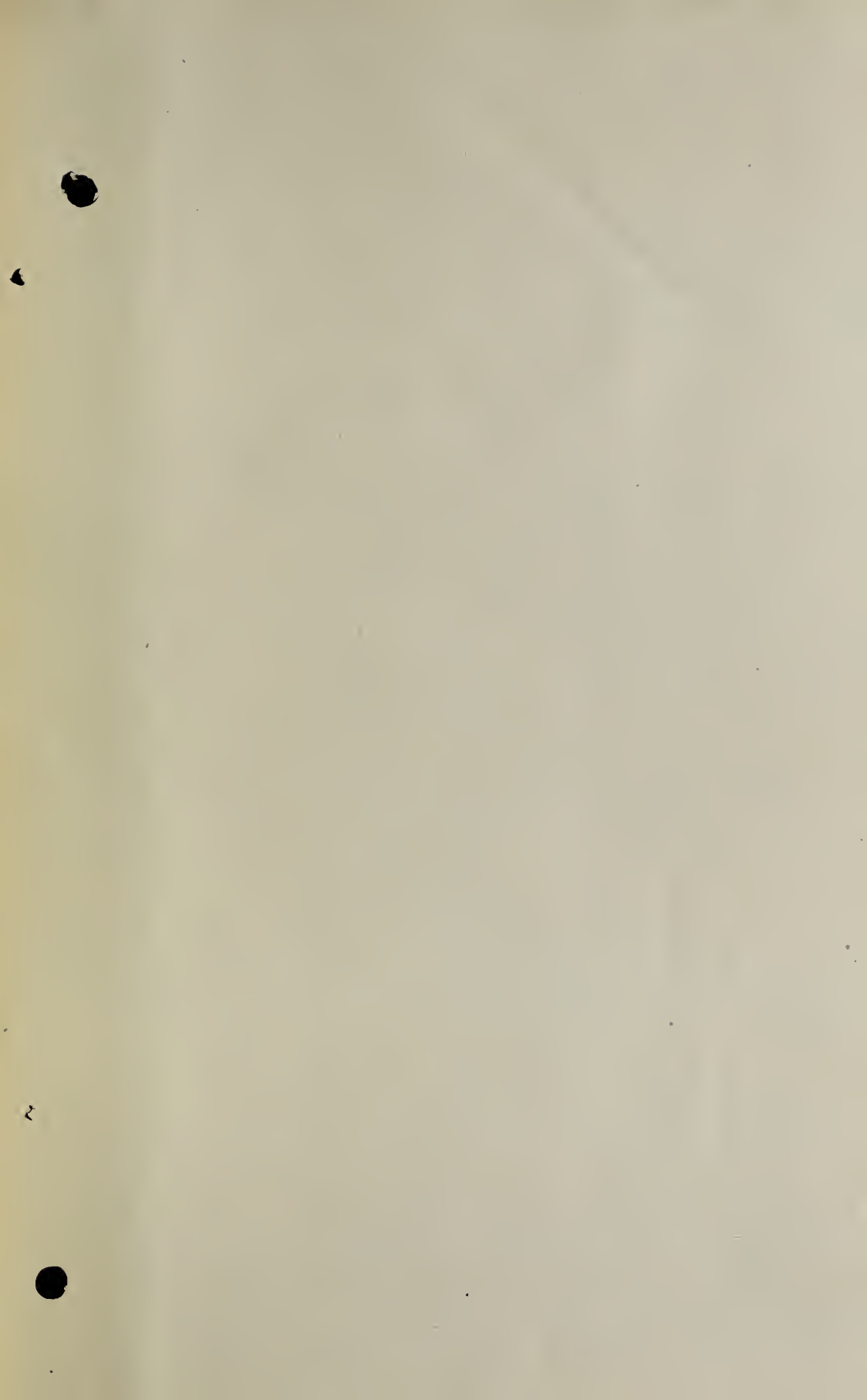
West Virginia: State Entomologist, West Virginia Agricultural Experiment Station, Morgantown, W. Va.

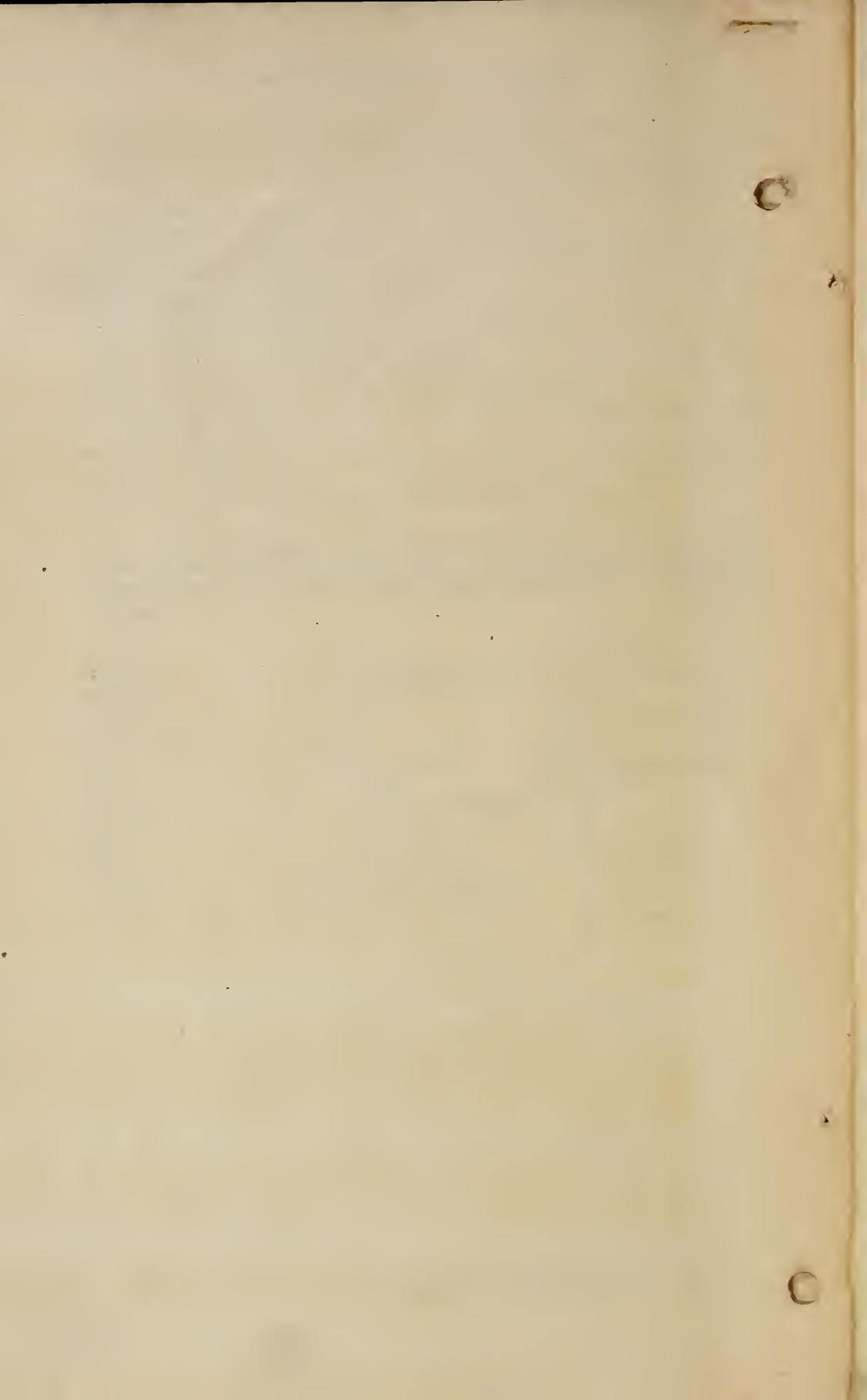
Wisconsin: Entomologist and Chief Nursery Inspector, College of Agriculture, Madison, Wis.

Wyoming: Secretary, State Board of Horticulture, Laramie, Wyo.

**LIST OF THE FOREIGN COUNTRIES WHICH HAVE PROVIDED FOR  
INSPECTION AND CERTIFICATION IN CONFORMITY WITH THE  
REQUIREMENTS OF THE PLANT QUARANTINE ACT OF AUGUST  
20, 1912.**

Australia.	Ireland.	New Zealand.
Barbados.	Italy—Province of Padova (Padua) only.	Philippine Islands.
Belgium.	Jamaica.	Scotland.
Bermuda.	Japan.	Union of South Africa.
British Guiana.	Leeward Islands:	Spain.
Canada.	Antigua.	Straits Settlements.
Cuba.	St. Christopher-Nevis.	Switzerland.
Denmark.	Dominica.	Trinidad.
England.	Montserrat.	Wales.
France.	Virgin Islands.	Windward Islands:
Germany.	Grand Duchy of Luxembourg.	Granada.
Guatemala.		St. Lucia.
Holland.		St. Vincent.







435  
UNITED STATES DEPARTMENT OF AGRICULTURE.  
Federal Horticultural Board.  
Washington, D. C.

August 29, 1918.

Dear Sir:

The experts of this Department have given careful consideration to the restrictions which should be placed on the importation of nursery stock, plants, and seeds into the United States as a result of the hearing of May 28, 1918. It is proposed to make these restrictions effective on and after June 1, 1919. The proposed quarantine will exclude all plants and plant products for propagation from all foreign countries, except as provided for in the regulations issued under the quarantine. For your information, and for any suggestions which you may care to make, I am sending you a copy of the tentative regulations governing the importation of such nursery stock, plants and seeds into the United States. In the provisional recommendations of the Bureau of Plant Industry, submitted as a tentative program of action in connection with the notice of hearing, it was provided that some four groups of plants, normally imported with earth about the roots, should be prohibited entry at future dates: in the case of three of these groups beginning July 1, 1919. The regulations as now drafted eliminate these groups altogether. Except as to the group (Azaleas, etc.) for which a longer period was suggested, this is not a wide variation from the tentative program, inasmuch as the regulations now proposed do not go into effect until June 1, 1919. Furthermore, under existing war conditions and the action of the War Trade Board, importations of plants of all of these groups will be greatly limited if not stopped for the period of the duration of the war.

Regulation 2 provides for the unrestricted entry of two groups of plants, namely (1) fruits, vegetables, cereals, and other plant products imported for food purposes; and (2) field, vegetable, and flower seeds.

Regulation 3 provides, under compliance with the conditions of the subsequent regulations, for the importation of five groups of plants as follows:

- (1) Lily bulbs, lily of the valley, narcissus, hyacinths, tulips, and crocus, free from balls of soil or earth.
- (2) Fruit stocks, seedlings, cuttings, scions, and buds of fruits for reproduction purposes.



- (3) Rose stocks for reproduction purposes, including Manetti, Multiflora, Brier Rose, and Rosa Rugosa.
- (4) Nuts, including palm seeds, for oil or reproduction purposes.
- (5) Seeds of fruit, forest, ornamental, and shade trees, seeds of deciduous and evergreen ornamental shrubs, and seeds of hardy perennial plants.

These groups of plants and seeds under regulations 2 and 3 include the plants and seeds which were represented as essential to the floriculture and horticulture of this country, namely, the field, vegetable, and flower seeds, and fruit stocks, cuttings, scions, etc., and rose stocks for reproduction purposes.

The subsequent regulations, prescribing conditions of entry of the groups of plants enumerated in regulation 3, are based very largely on regulations hitherto enforced governing the entry of nursery stock. Provision has been made, however, in regulation 10 for the disinfection of plants offered for entry should, in the judgment of this Board and the inspectors of the Department of Agriculture, such disinfection be necessary.

The Board will be glad to have your association give careful consideration to these regulations and, if it seems desirable, a conference can be arranged for a discussion of these regulations. It is the wish of the Board to meet any reasonable objections which can be presented, and which will not involve a material increase of risk of entry of new plant pests.

The quarantine will provide for the importation, through the agency of the U. S. Department of Agriculture, of plants and seeds for experimental or scientific purposes, and by this means it will be possible to import novelties or other plants and seeds for which special need can be shown. This does not mean, however, that the Department will undertake commercial importations for private firms.

Yours very truly,

C. L. Marlatt

clm rca h

Chairman of Board.



1. The Commission has been authorized to conduct investigations and to report thereon to the President.

2. The Commission shall have access to all records and documents of the Government.

3. The Commission shall have access to all persons and places which it may deem necessary to investigate.

4. The Commission shall have access to all persons and places which it may deem necessary to investigate.

5. The Commission shall have access to all persons and places which it may deem necessary to investigate.

6. The Commission shall have access to all persons and places which it may deem necessary to investigate.

7. The Commission shall have access to all persons and places which it may deem necessary to investigate.

Very truly yours,

W. H. Taft

President of the United States

Washington, D. C.



RULES AND REGULATIONS GOVERNING THE IMPORTATION OF NURSERY STOCK, PLANTS,  
AND SEEDS INTO THE UNITED STATES.

(Effective on and after June 1, 1919, and superseding the regulations heretofore issued governing the importation of nursery stock.)

Regulation 1. Definition.

For the purpose of these regulations the words "plants and seeds" shall wherever used include all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and also field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots, and other plants and plant products for propagation.

Regulation 2. Plants and seeds for which permit is not required.

The following classes of plants and seeds, not including, however, the particular plants and seeds named in Appendix A, which are governed by special quarantines now in force, nor such as may hereafter be made the subject of special quarantines, may be imported without permit or other compliance with these regulations.

- (1) Fruits, vegetables, cereals, and other plant products imported for food purposes.
- (2) Field, vegetable, and flower seeds.

Regulation 3. Plants and seeds for which permit is required.

The following plants and seeds, not including, however, those named in Appendix A, which are governed by special quarantine now in force, nor such as may hereafter be made the subject of special quarantines, may be imported under permit upon compliance with these regulations, but, where a particular purpose is specified, for that purpose and no other:

- (1) Lily bulbs, lily of the valley, narcissus, hyacinths, tulips, and crocus, free from balls of soil or earth.
- (2) Fruit stocks, seedlings, cuttings, scions, and buds of fruits for reproduction purposes.
- (3) Rose stocks for reproduction purposes, including Manetti, Multiflora, Brier Rose, and Rosa Rugosa.
- (4) Nuts, including palm seeds, for oil or reproduction purposes.
- (5) Seeds of fruit, forest, ornamental, and shade trees, seeds of deciduous and evergreen ornamental shrubs, and seeds of hardy perennial plants.

Regulation 4. Application for permits for importation of plants and seeds.

Persons contemplating the importation of plants and seeds\* the entry of

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\* A post office order dated May 27, 1913, as amended December 16, 1913, prohibits the importation by mail of all growing or living plants, seeds, and other plant products for propagation, except field, vegetable, and flower seeds.

THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES

REPORT OF THE COMMITTEE ON THE  
PROGRESS OF THE PHYSICAL SCIENCES

1954-1955

The Committee on the Progress of the Physical Sciences was organized in 1954 to study the progress of the physical sciences in the United States and to make recommendations to the National Science Foundation and the National Academy of Sciences. The Committee has held several public hearings and has received many suggestions from scientists and the public. The Committee has also conducted extensive research into the progress of the physical sciences and has published several reports. The Committee's findings and recommendations are presented in this report.

### 1. THE PHYSICAL SCIENCES IN THE UNITED STATES

The physical sciences in the United States have made significant progress in the past few decades. This progress has been the result of a combination of factors, including increased government support, the development of new technologies, and the efforts of individual scientists. The Committee believes that this progress will continue in the future, but it also believes that there are several areas where the physical sciences in the United States are currently lagging behind other countries. These areas are discussed in the following sections.

- (1) Basic Research
- (2) Applied Research
- (3) Education
- (4) Public Policy

### 2. BASIC RESEARCH

Basic research is the foundation of the physical sciences. It is the study of the fundamental laws of nature and the properties of matter and energy. Basic research is essential for the development of new technologies and for the advancement of human knowledge. The Committee believes that basic research in the physical sciences in the United States is currently being neglected. This neglect is the result of a number of factors, including a shift in government funding priorities and a decline in the number of scientists working in basic research. The Committee believes that this neglect is a serious threat to the future of the physical sciences in the United States.

- (1) Particle Physics
- (2) Atomic and Molecular Physics
- (3) Optics
- (4) Acoustics
- (5) Geophysics
- (6) Astronomy
- (7) Earth and Planetary Sciences
- (8) Interdisciplinary Research

### 3. APPLIED RESEARCH

Applied research is the study of the physical sciences as they relate to the development of new technologies and the solution of practical problems. Applied research is essential for the advancement of the physical sciences and for the improvement of the human condition. The Committee believes that applied research in the physical sciences in the United States is currently being neglected. This neglect is the result of a number of factors, including a shift in government funding priorities and a decline in the number of scientists working in applied research. The Committee believes that this neglect is a serious threat to the future of the physical sciences in the United States.



which is permitted under these regulations shall first make application to the Federal Horticultural Board for a permit, stating in the application the exact designation of the plants and seeds to be imported, the name and address of the exporter, the country and locality where grown, the port of entry, and the name and address of the importer in the United States to whom the permit should be sent.

Applications for permits should be made in advance of the shipment of the plants and seeds, but if, through no fault of the importer, plants and seeds the entry of which is permitted under these regulations should arrive before the issuance of a permit the plants and seeds will be held in customs custody at the risk and expense of the importer for a period not exceeding 20 days pending the issuance of a permit.

Applications may be made by telegraph, in which case the information required above must be given.

Permits are not required for plants and seeds, not under quarantine or regulation, entering the United States for immediate transportation in bond to foreign countries.

Applicants for permits to import plants and seeds from countries which do not maintain plant and seed inspection (see appendix) must include in their application a definite statement of the quantity of plants and seeds to be imported. Plants and seeds may be imported into the United States from such countries only for experimental purposes and in limited quantities, except that tree seeds may be imported from such countries in commercial quantities.

#### Regulation 5. Delivery in bond.

If the permit required for the importation of plants and seeds, the entry of which is permitted under these regulations, from countries which maintain plant and seed inspection, be not at hand at the time of the arrival at the port of entry of the plants and seeds, such plants and seeds may be delivered to the importer, consignee, or agent for the proper care thereof upon the filing of a bond with approved sureties in double the invoice value of the property (but in no case less than \$20), conditioned upon the redelivery thereof to the collector within 20 days from the date of arrival, and providing that the same shall not be removed from the port of entry within such period except upon the presentation of the proper permit and compliance with the conditions of Regulation 10; or, if the importer, consignee, or agent shall so elect, the goods may, so far as the Department of Agriculture is concerned, be retained in customs custody for a period not exceeding 20 days, pending the issuance of the permit, wholly at the risk and expense of the importer.

#### Regulation 6. Issuance of permits.

On approval by the Secretary of Agriculture of an application for the importation of plants and seeds a permit will be issued in quadruplicate. One copy will be furnished to the applicant for presentation to the customs officer at the port of entry, one copy each will be mailed to the collector of customs and inspector of the Department of Agriculture at the port of entry, and the fourth will be filed with the application.





Permits shall be valid until revoked unless otherwise specified therein and will be issued for the ports of Boston, New York, Newark, San Francisco, Seattle, and such other ports as may from time to time be approved by the Federal Horticultural Board. The permit will be addressed to the collector of customs at the port for which it is issued.

Regulation 7. Cancellation of permits for violation of regulations.

Permits may be canceled, and further permits refused, for the importation of the products of any grower or exporter who has knowingly violated the Plant Quarantine Act or the regulations thereunder.

Regulation 8. Inspection, certification, and marking of plants and seeds as a condition of entry.

The importation of plants and seeds from countries which maintain plant and seed inspection will not be allowed unless the invoice is accompanied by an original certificate, and unless each container bears a copy certificate, issued by a duly authorized official of the country from which it is exported, stating that the plants and seeds covered by the certificate have been thoroughly inspected by him or under his direction and found, or believed to be, free from injurious plant diseases and insect pests. Plants and seeds exported between October 1 and May 31 shall be inspected on or after the 1st of October, and plants and seeds exported between June 1 and September 30 shall be inspected at the time of packing: Provided, That for tropical and semitropical countries, or for stock grown under glass, the inspection shall be at time of packing throughout the entire year.

Plants and seeds from countries which do not maintain plant and seed inspection shall not be delivered to the importer or consignee until they have been examined by an inspector of the Department of Agriculture and found to be free from plant diseases and insect pests, or, if infested, capable in the judgment of the inspector of being adequately safeguarded by disinfection. All importations under this paragraph must also comply with the disinfection requirement of Regulation 10. Plants and seeds inspected as provided herein, which are found to be carrying any plant disease or insect pest, and which, in the judgment of the inspector can not be cleaned by disinfection or treatment, shall be refused entry. All charges for storage, cartage, and labor incident to inspection, other than the services of the inspector, shall be paid by the importer.

If a package of plants and seeds offered for entry includes any prohibited article, the entire package will be refused entry.

Each case, box, or other container or covering of plants and seeds offered for entry shall be plainly and correctly marked to show the number of the permit, the general nature and quantity of the contents, the district or locality and country where grown, the name and address of the exporter, and the name and address of the consignee.

Regulation 9. Foreign certificate of inspection.

Each certificate and copy certificate shall give the date of inspection;

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name of the grower or exporter; the district or locality and the country where grown; and a statement that the plants and seeds have been inspected by a duly authorized official and found, or believed to be, free from insect pests and plant diseases. The original certificate shall be signed and sealed by, and the copy certificate shall bear the seal of, a responsible inspection official for the country of origin.

Permits may be canceled and further permits refused for the importation of plants and seeds from any country whenever such plants and seeds, in the judgment of the Federal Horticultural Board, are found to be so infested as plainly to indicate that the foreign inspection is merely perfunctory, and such country shall thereafter be classed as a country which does not maintain plant and seed inspection until satisfactory evidence is presented to show that the regulations of the Board have been complied with.

Lists of officials in foreign countries authorized to inspect plants and seeds, giving their names and official designations, will be furnished to collectors of customs through the Secretary of the Treasury.

Regulation 10. Disinfection a condition of entry.

Plants and seeds imported under Regulation 3 shall be subject as a condition of entry, to such disinfection as shall be required by the inspector of the Department of Agriculture. When disinfection is required, the plants and seeds involved will be delivered to the permittee for disinfection upon the filing with the collector of customs of a bond in the amount of \$5,000, or in an amount equal to the invoice value of the plants and seeds if such value be less than \$5,000, with approved sureties, conditioned upon disinfection of the plants and seeds, under the supervision of an inspector of the Department of Agriculture, and upon the redelivery of the plants and seeds to the collector of customs within 40 days from arrival of the same at the port of entry. The plants and seeds shall not be removed from the port of entry, nor shall any case or other container thereof be broken or opened, until a written notice is given to the collector of customs by an inspector of the Department of Agriculture that the plants and seeds have been properly disinfected.

Regulation 11. Notice of arrival by permittee.

Immediately upon arrival of the plants and seeds at the port of entry, the permittee shall submit in duplicate notices to the Secretary of Agriculture, through the collector of customs, on forms provided for that purpose, stating the number of the permit, date of entry, name of the ship or vessel, the country and locality where grown, name of the foreign shipper, number of cases and marks and numbers on cases, the general nature and quantity of the plants and seeds, port of entry, and the name of the importer or broker at the port of entry.

Regulation 12. Notice of shipment by permittee.

After entry of the plants and seeds and before removal from the port of entry for each separate shipment or consignment thereof the permittee shall notify the Secretary of Agriculture in duplicate, on forms provided for that purpose, stating the number of the permit, the date of entry, the port of entry, the customs entry number, name and address of the consignee to whom it is proposed to for-





ward the plants and seeds, the general nature and quantity of the plants and seeds, the number of cases or other containers included in the shipment, and the case or container numbers and marks, together with the probable date of delivery for and route of transportation. A separate report is required for each ultimate consignee.

At the same time a copy of the notice to the Secretary of Agriculture shall be sent by the permittee to the duly authorized inspector or other officer of the State, Territory, or District to which the plants and seeds are to be shipped. A list of such inspectors and officers is appended.

Permits may be canceled and further permits refused if a permittee fails to give either of said notices or gives an incomplete notice, or gives a false notice or knowingly mislabels any plants or seeds with intent to evade any provision of the Plant Quarantine Act or of any regulation thereunder.

Should a consignee named in such a notice ship or deliver for shipment to any other State, Territory, or District such plants or seeds before they have been inspected by a duly authorized State, Territorial, or District inspector or officer, he shall, prior to such shipment, give like notice to the Secretary of Agriculture and to the duly authorized inspector or other officer of the State, Territory, or District to which the plants and seeds are to be reshipped.

Plants and seeds which have been once inspected by a duly authorized State, Territorial, or District inspector or other officer, will be allowed to move interstate without restrictions other than those imposed on the interstate movement of domestic nursery stock.

#### Regulation 13. Marking a condition of interstate shipment.

No person shall ship or deliver for shipment from one State, Territory or District of the United States into any other State, Territory or District any imported plants and seeds the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where such plants and seeds were grown, unless and until such imported plants and seeds have been inspected by the proper official of a State, Territory, or District of the United States.

#### Regulation 14.

These regulations shall not apply to the importation by the United States Department of Agriculture of plants and seeds for experimental or scientific purposes.

The above rules and regulations are hereby adopted and shall be effective on and after June 1, 1919, and shall supersede on and after said date the rules and regulations governing the importation of nursery stock into the United States, which were promulgated to take effect on and after July 1, 1916.

Secretary of Agriculture.

The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the Americas, which is known to be active in the United States and in other countries.

The second of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the Americas, which is known to be active in the United States and in other countries.

The third of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the Americas, which is known to be active in the United States and in other countries.

The fourth of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the Americas, which is known to be active in the United States and in other countries.

The fifth of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the Americas, which is known to be active in the United States and in other countries.

CONCLUSIONS

The Commission has concluded that the Committee for the Liberation of the Americas is a subversive organization which is active in the United States and in other countries. It has concluded that the Committee is engaged in activities which are designed to overthrow the governments of the Americas and to establish a new order in the Hemisphere.

RECOMMENDATIONS

The Commission recommends that the Government of the United States should take steps to prevent the Committee for the Liberation of the Americas from carrying out its activities in the United States and in other countries.

The Commission also recommends that the Government of the United States should take steps to prevent the Committee for the Liberation of the Americas from carrying out its activities in the United States and in other countries.



Appendix A.

- (a) Irish potatoes from all countries except the Dominion of Canada and Bermuda. Irish potatoes may be imported from any foreign country into the Territories of Hawaii and Porto Rico, for local use only, free from any restrictions under the Plant Quarantine Act.
- (b) Oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, guavas, and plums from the Republic of Mexico.
- (c) All five-leaved pines and all species and varieties of the genera Ribes and Grossularia, from each and every country of Europe and Asia and from the Dominion of Canada and Newfoundland.
- (d) Cotton seed (including seed cotton) of all species and varieties, and cottonseed hulls, from any foreign locality and country.
- (e) Seeds of the avocado or alligator pear from Mexico and the countries of Central America.
- (f) Living canes of sugar cane or cuttings or parts thereof from all foreign countries. There are no restrictions on the entry of such materials into Hawaii and Porto Rico.
- (g) All citrus nursery stock including buds, scions, and seeds, from all foreign localities and countries.
- (h) All pines not included in paragraph (c) from all European countries and localities.
- (i) Seed and all other portions in the raw or unmanufactured state of Indian corn or maize (Zea mays L.), and the closely related plants, including all species of Teosinte (Euchlaena), Job's tears (Coix), Polytoca, Chionachne, and Sclerachne, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands.
- (j) All species and varieties of citrus fruits from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania, (except Australia, Tasmania, and New Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa.
- (k) All varieties of sweet potatoes and yams (Ipomoea batatas and Dioscorea spp.) from all foreign countries and localities.
- (l) All species or varieties of banana plants (Musa spp.) from all foreign countries and localities.
- (m) Fruits of the avocado or alligator pear and avocado nursery stock less than 18 months of age from Mexico and the countries of Central America.
- (n) Cotton from all foreign countries and localities.
- (o) Cottonseed oil from Mexico and cottonseed cake, meal, and all other cottonseed products, except oil, from all foreign countries.



